

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

CR 05-1849 JH

SALVADOR ABEYTA,
Defendant,

MOTION TO MODIFY RELEASE CONDITIONS

Defendant, through undersigned counsel, hereby moves to modify the conditions of his release on grounds set forth herein.

For nearly six months, Defendant has been residing in the custody of the LaPasada Halfway House in Albuquerque. He has done so in full compliance of all of the program's rules and regulations.

Given Defendant's performance, it is appropriate to decrease the level of supervision and to allow Defendant to reside in a private residence that has already been approved by Pretrial Services, subject to his being electronically monitored and complying with all directives for counseling and treatment.

The undersigned has personally consulted Andrew Selph, Defendant's supervising Pretrial Services Officer. He concurs with this request. AUSA James Braun does not oppose this request, given the concurrence of Mr. Selph.

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Dated this 18th of June, 2009.

By: /s Jason D. Lamm
Jason D. Lamm
1300 E. Missouri
Suite B200
Phoenix, Arizona 85014
Attorney for Salvador Abeyta

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v.

CR 05-1849 JH

SALVADOR ABEYTA,
Defendant,

CERTIFICATE OF SERVICE OF
MOTION TO MODIFY RELEASE CONDITIONS

I certify that a copy of the above pleading was served upon the attorney for the United

States of America:

James Braun, Esquire
Assistant United States Attorney
P.O. Box 607,
Albuquerque, New Mexico 87103

&

All other counsel of record
Via ECF this 18th of June, 2009.

/s Jason D. Lamm
Jason D. Lamm
Attorney for Defendant
Salvador Abeyta